

**Amendment No. 1 to HB2310**

**Buck  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2257**

**House Bill No. 2310\***

by deleting Section 16 of the introduced bill in its entirety and by substituting instead the following :

SECTION 16. Tennessee Code Annotated, Section 68-203-103, is amended by deleting subsection (h) and by substituting instead the following:

(h) For the following categories, the fees shall not exceed the following maximum amounts; however, the promulgating authorities are encouraged to use graduated fees to reflect the volume of waste, population served, or other factors determined necessary to fairly apportion the fees:

(1) Filing/processing fee for state water quality permit: Two thousand five hundred dollars (\$2,500);

(2) Annual maintenance fee for NPDES permit or state water quality permit: Seven thousand five hundred dollars (\$7,500);

(3) Inspection fee for a major public water or wastewater treatment system: Two thousand five hundred dollars (\$2,500);

(4) Engineering plans review for water or wastewater systems: One thousand five hundred dollars (\$1,500);

(5) Filing/processing fee for construction permit for a new air emission source or the increased emissions to a source: Seven thousand five hundred dollars (\$7,500);

(6) Filing/processing fee for permit modification for an air emission source: Seven hundred fifty dollars (\$750);

(7) Air contaminant emissions fee: Eighteen dollars and

seventy-five cents (\$18.75) per ton per year, based upon the air contaminant sources allowable emissions level; provided, that emissions subject to this fee are capped at four thousand (4,000) tons per pollutant (TSP, VOC, SO<sub>2</sub>, NO<sub>x</sub>, and other pollutants, excluding CO) per facility;

(8) Filing/processing fee for solid waste processing facility: Two thousand five hundred dollars (\$2,500);

(9) Filing/processing fee for solid waste landfill permit: Ten thousand dollars (\$10,000);

(10) Annual maintenance fee for a solid waste processing facility: Five thousand dollars (\$5,000);

(11) Annual maintenance fee for a solid waste landfill: Fifteen thousand dollars (\$15,000);

(12) Filing/processing fee for a commercial hazardous waste storage or treatment facility: Thirty-seven thousand five hundred dollars (\$37,500);

(13) Filing/processing fee for a commercial hazardous waste disposal facility or landfill site: Seventy-five thousand dollars (\$75,000);

(14) Annual maintenance fee for a commercial hazardous waste storage or treatment facility: Thirty-seven thousand five hundred dollars (\$37,500);

(15) Annual maintenance fee for a commercial hazardous waste disposal facility or landfill site: Seventy-five thousand dollars (\$75,000);

(16) Filing/processing fee for an on-site hazardous

waste storage or-treatment facility: Fifteen thousand dollars (\$15,000);

(17) Filing/processing fee for an on-site hazardous waste disposal facility or landfill site: Thirty thousand dollars (\$30,000);

(18) Annual maintenance fee for an on-site hazardous waste storage or treatment facility: Eighteen thousand seven hundred fifty dollars (\$18,750);

(19) Annual maintenance fee for an on-site hazardous waste disposal facility or landfill site: Twenty-two thousand five hundred dollars (\$22,500);

(20)

(A) Class I. Dental radiation machines: All diagnostic equipment used exclusively for dental diagnostic procedures: Ninety-eight dollars (\$98);

(B) Class II. Priority two medical radiation machines: All diagnostic equipment, not in Class III, used exclusively for medical and veterinary diagnostic procedures: Two hundred twenty-five dollars (\$225);

(C) Class III. Priority one medical radiation machines: All diagnostic x-ray equipment used in radiologists' offices, orthopedic surgeons' offices or hospitals exclusively for medical diagnostic procedures: Three hundred dollars (\$300); and

(D) Class IV. Therapy medical radiation machines: All x-ray equipment with energies less than 0.9 MeV used for the purpose of medical and veterinary radiation therapy: Four hundred fifty dollars (\$450).

(21) Well driller annual license fee: Two hundred fifty dollars (\$250);

(22) Well pump and treatment device installer annual license fees:

One hundred fifty dollars (\$150);

(23) Safe dams plans review fee: Five Thousand Dollars (\$5,000)

(24) Safe dams safety inspection fee: One Thousand Dollars (\$1,000);

(25) Permit application fee for oil or gas well: One thousand  
twelve hundred dollars (\$1,200); and

(26) Mineral test hole permit application fee: One hundred dollars (\$100).

AND FURTHER AMEND by deleting Section 18 of the introduced bill in its entirety and by substituting instead the following:

SECTION 18. Tennessee Code Annotated, Section 68-212-203, is amended by deleting subsection (a) and by substituting instead the following:

(a) In addition to any other fees assessed by law, there is hereby levied a remedial action fee on the generation and management of hazardous waste. The amounts of such fees are to be set for different categories of activities in a rule promulgated by the Solid Waste Disposal Control Board; however none of the fees may exceed the following maximum amounts:

(1) Annual fees on the generation of hazardous waste: Thirty-three  
thousand dollars (\$33,000);

(2) Additional fees on the off-site shipment of  
hazardous waste, including the shipment of such waste to  
Tennessee facilities from out of state: Seventy-five  
thousand dollars (\$75,000).

AND FURTHER AMEND by deleting Section 19 of the introduced bill in its entirety and by substituting instead the following:

SECTION 19. Tennessee Code Annotated, 69-3-115(a)(1)(C), is amended by adding the language "or causes false information to be filed with the department" after the word

"requirement".

AND FURTHER AMEND by adding the following new language immediately preceding Section 44 of the introduced bill and by redesignating the subsequent section accordingly:

Section 44. Tennessee Code Annotated, Section 68-203-103, is amended by adding the following language at the end of subdivision (a)(3):

Prior to promulgating any fee increase, the authorities listed in subsection (b) of this section shall review the basis for such a fee increase and make a determination that it is warranted. The factors in such determinations shall include, if relevant: staffing needs, ability to attract and retain quality staff, feasible cost containment measures, comparisons with salaries paid by other governments and the private sector, levels of federal grants and state appropriations, and the ability of the program to maintain or improve its performance in carrying out its duties.

AND FURTHER AMEND by deleting the effective date section of the bill in its entirety and by substituting instead the following:

Section \_\_\_\_\_. Except for Sections 2, 4, 5, 6, 11, 18, 38, and 39, which shall all take effect only for purposes of rulemaking upon this bill becoming a law, and which shall each take effect for all purposes upon the date the rule applicable to each section is effective, this act shall take effect on July 1, 2007, the public welfare requiring it.